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ATTORNEY'S DOCKET NO: S1450/7000 RJK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas B. Sheridan
Serial No: 10/001,362
Confirmation No.: 1365
Filed: October 23, 2001
For: HYBRID VEHICLE OPERATION SIMULATOR

Examiner: --
Art Unit: 2123

[Handwritten signature]

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 30th day of April 2002.

Jacqueline Anthony
Jacqueline Anthony

Commissioner for Patents
Washington, D.C. 20231

PETITION FOR ACCEPTANCE OF UNINTENTIONALLY
DELAYED CLAIM FOR PRIORITY

Sir:

The above-identified application was filed on October 23, 2001. Prior-filed provisional application no. 60/242,614 was filed on October 23, 2000.

The reference identifying the provisional application in the later-filed utility application was unintentionally delayed.

Applicant hereby petitions to claim the benefit of the filing date of the provisional application under 35 U.S.C. § 119(e).

Pursuant to 37 CFR 1.78(a)(6), the following are enclosed:

1. The reference required by 35 U.S.C. § 119(e) to the prior filed provisional application;
2. The surcharge set forth in section 1.17(t); and

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3. A statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional.

Respectfully submitted
Thomas B. Sheridan, Applicant

By:

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Attorneys for Applicant

Docket No. S1450/7000 RJK
Date: April 30, 2002
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STATEMENT UNDER 37 C.F.R. 1.78(a)(6)(iii)

Sir:

The entire delay between the date that the priority claim was due, under 37 CFR 1.78(a)(5)(iii), to the filing date of U.S. provisional application Serial No. 60/242,614 and today's date on which the claim is filed was unintentional. Although the provisional application was referenced in the inventor's declaration filed with the application, the cross-reference to the provisional application was unintentionally omitted from the specification.

The omission to cross-reference the provisional application in the specification was detected by the undersigned on April 9, 2002. At that point, the undersigned initiated contact with a now retired former member of the undersigned's firm, who oversaw the preparation and filing of this application. In addition, the undersigned initiated some research into the rules to determine whether the priority claim could be belatedly made. On April 21, 2002, the retired former member of the undersigned's firm confirmed that the application should be amended to include the priority claim, and that it was inadvertently omitted.

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